

W.M.D.
MCMONAGLE, PERRI,
MCHUGH, MISCHAK & DAVIS P.C.
By: William M. Davis, Esquire
Attorney I.D. No. 93102
1845 Walnut St., 19th Floor
Philadelphia, PA 19103
(215) 981-0999 / Fax (215) 981-0977
wdavis@mpmpc.com

Attorney for Plaintiffs

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

THE ESTATE OF ARTHUR PHILLIPS, :
PHYLLIS PHILLIPS :
:

CIVIL ACTION 19 3822

vs. :

CORIZON HEALTH, INC. :

JURY TRIAL DEMANDED

105 Westpark Drive :

Brentwood, Tennessee 37027 :

and :

MHM CORRECTIONAL SERVICES, INC. :

1593 Spring Hill Road, Suite 600 :

Vienna, Virginia 22182 :

and :

BARBARA HERST, RN :

c/o MHM CORRECTIONAL
SERVICES, INC. :

1593 Spring Hill Road, Suite 600 :

Vienna, Virginia 22182 :

and c/o CORIZON HEALTH, INC. :

105 Westpark Drive :

Brentwood, Tennessee 37027 :

and :

HANNAH JENKINS :

c/o MHM CORRECTIONAL
SERVICES, INC. :

1593 Spring Hill Road, Suite 600 :

Vienna, Virginia 22182 :

and c/o CORIZON HEALTH, INC. :

105 Westpark Drive :

Brentwood, Tennessee 37027 :

and :

DR. JOHN DOE, MD :

Who treated or was responsible for :

FILED

AUG 23 2019

KATE BARKMAN, Clerk
By _____ Dep. Clerk

Treating Arthur Phillips and whose	:
Identity is known to defendants but	:
Not to plaintiffs after reasonable	:
Investigation and in the absence of	:
Disclosures and discovery	:
c/o MHM CORRECTIONAL	:
SERVICES, INC.	:
1593 Spring Hill Road, Suite 600	:
Vienna, Virginia 22182	:
and c/o CORIZON HEALTH, INC.	:
105 Westpark Drive	:
Brentwood, Tennessee 37027	:

COMPLAINT - CIVIL ACTION

Plaintiffs, The Estate of Arthur Phillips, and Phyllis Phillips, by and through the undersigned attorneys, McMonagle, Perri, McHugh, Mischak & Davis, P.C., herein complain of the above captioned defendants, and state the following:

JURISDICTION AND VENUE

1. Jurisdiction in this action is vested in this Court pursuant to 42 U.S.C. §1983.
2. The practices and conduct alleged herein occurred within the Eastern District of Pennsylvania wherein the Pennsylvania Department of Corrections governs and operates. Therefore, venue in this Court is proper pursuant to 28 U.S.C. §§1331 and 1333.

PARTIES

3. Decedent, Arthur Phillips, and Plaintiff through the Estate of Arthur Phillips, was an adult individual last residing at SCI Graterford, Graterford, Pennsylvania, before his death on January 28, 2018.
4. Plaintiff, Phyllis Phillips, is an adult individual residing at 1441 Potter Lane, Wayne, PA 19087 and was the wife of Arthur Phillips until the date of his death.

5. Defendant Corizon Health, Inc. [“Corizon”] is a corporation or other jural entity located at 105 Westpark Drive, Brentwood, Tennessee 37027. Corizon has a principal place of business, among other places, located at 8001 State Road, Philadelphia, Pennsylvania 19136.

6. Defendant Corizon has a contract to provide health care and health care services to inmates and detainees within the Pennsylvania Department of Corrections.

7. Defendant MHM Correctional Services, Inc. [“MHM”] is a corporation or other jural entity located at 1593 Spring Hill Road, Suite 600, Vienna, Virginia 22182. MHM has a principal place of business, among other places, located at 645 North 12th Street, Suite 101, Lemoyne, Pennsylvania 17043.

8. Defendant MHM has a contract to provide mental health care and mental health care services to inmates and detainees within the Pennsylvania Department of Corrections.

9. Defendant, Barbara Herst, is a registered nurse duly licensed to practice medicine in the Commonwealth of Pennsylvania who, at all times relevant hereto, provided medical/mental health/psychiatric care and treatment to Mr. Phillips.

10. Defendant, Hannah Jenkins, provides mental health care and mental health care services to inmates and detainees within the Pennsylvania Department of Corrections

11. Defendant John Doe, MD, [“Dr. John Doe”] whose existence is known through witnesses and whose identity is known to defendants but not to the plaintiff after reasonable investigation and in the absence of disclosures or discovery, is a physician duly licensed to practice medicine in the Commonwealth of Pennsylvania who, at all times relevant hereto, provided medical/mental health/psychiatric care and treatment to Mr. Phillips.

12. At all times relevant hereto, Barbara Herst, Hannah Jenkins and Dr. John Doe were actual and/or ostensible agents and/or employees of Corizon and/or MHM, and were acting

within the course and scope of such agency and/or employment relationship while providing health care and/or mental health care services to Mr. Phillips.

13. At all times material hereto, Barbara Herst, Hannah Jenkins and Dr. John Doe [individual defendants], were acting in their own right and also acting as authorized agents, employees and/or servants of Corizon and/or MHM, and under the control or right of control of Corizon and/or MHM.

14. Corizon is liable for the acts and/or omissions of the above captioned individual defendants and/or its agents, servants, and/or employees under applicable legal theories of agency, master-servant, respondeat superior, and/or right of control.

15. MHM is liable for the acts and/or omissions of the above captioned individual defendants and/or its agents, servants, and/or employees under applicable legal theories of agency, master-servant, respondeat superior, and/or right of control.

FACTS COMMON TO ALL COUNTS

16. On April 20, 2017, Arthur Phillips was arrested, while a patient in the Psychiatric Unit of the Veterans' Administration Hospital in Coatesville, Pennsylvania, and transported to the Chester County Prison.

17. Mr. Phillips had been a patient in the Psychiatric Unit of the Veterans' Administration Hospital due to a suicide attempt on April 19, 2017.

18. Mr. Phillips was held in the Psychiatric Unit of the Chester County Prison on "suicide watch" for the first approximately ten days of his detention at the Chester County Prison.

19. On or about April 22, 2017, Mr. Phillips was prescribed Prozac, which he took on a daily basis while at the Chester County Prison, as he had been taking Prozac as prescribed by

his private doctors since approximately 2001, pursuant to his diagnosis of Major Depressive Disorder.

20. Mr. Phillips continued to be prescribed and continued taking Prozac on a daily basis for the entirety of his detention at the Chester County Prison.

21. On January 24, 2018, Arthur Phillips was transferred from the Chester County Prison to SCI Graterford and was incarcerated as an inmate at SCI Graterford.

22. On January 24, 2018, upon entry to SCI Graterford, Defendant Barbara Herst completed a screening form noting that Mr. Phillips was to be referred to the psychiatric unit.

23. Defendant, Barbara Herst, also noted that Mr. Phillips had been taking psychiatric medicine, namely, Prozac.

24. On January 25, 2018, Defendant, Hannah Jenkins, completed an Initial Reception Mental Health Questionnaire noting that Mr. Phillips had received outpatient mental health treatment and was prescribed Prozac.

25. Mr. Phillips was never given Prozac, or any other similar medication, by Dr. John Doe or any other healthcare professional, or anyone else, while he was incarcerated at SCI Graterford.

26. Mr. Phillips was never placed on “suicide watch” while incarcerated at SCI Graterford, nor was he placed in any housing that included supervision and/or direct checks on his well-being every fifteen minutes.

27. Mr. Phillips was not placed in a special housing unit or cell, that would have allowed for close supervision and mental health services, despite his diagnosis of Major Depressive Disorder, prescription for Prozac and history of prior suicide attempts.

28. Mr. Phillips was not placed in a special housing unit that provided a suicide suit, blanket but no sheet and general provisions to prevent self-harm, despite his diagnosis of Major Depressive Disorder, prescription for Prozac and history of prior suicide attempts.

29. Mr. Phillips was not transitioned from suicide watch, to close supervision to general housing, all-the-while monitored by a mental health professional, to ensure that he was not a risk to harm himself, despite his diagnosis of Major Depressive Disorder, prescription for Prozac and history of prior suicide attempts.

30. On January 28, 2018, Mr. Phillips committed suicide by hanging himself with a bed sheet in his prison cell, in general population, while incarcerated as an inmate at SCI Graterford.

31. At all relevant times hereto, Defendants were aware of, and recklessly and deliberately indifferent to, Mr. Phillips' serious medical and mental health needs and the required evaluations, medication and monitoring that his mental health diagnosis required for his safety.

32. At all relevant times hereto, Defendants were aware of, and recklessly and deliberately indifferent to, the excessive risk of not providing Mr. Phillips with Prozac, or a similar medication, to manage his Major Depressive Disorder, and/or placing him on suicide watch.

33. At all relevant times hereto, Defendants were aware of, and were recklessly and deliberately indifferent to, the need for additional and/or different training, testing, rules, regulations, screening, policies, procedures, guidelines, and directives concerning inmates with known mental health conditions, providing medications and placing inmates on suicide watch.

34. Mr. Phillips' death was caused by the prolonged failure to treat or address his mental health needs through medication, supervision and monitoring to prevent self-harm.

35. Mr. Phillips died while under the exclusive custody and control of the Pennsylvania Department of Corrections and the above named Defendants.

36. As a direct and proximate result of Defendants' conduct, which caused Mr. Phillips' death, Plaintiffs are entitled to recover for damages.

COUNT I – FEDERAL CIVIL RIGHTS CLAIM
Plaintiffs v. Individual Defendants

37. Plaintiffs incorporate the preceding paragraphs as if the same were set forth herein at length.

38. Barbara Herst, Hannah Jenkins and Dr. John Doe were acting under the color of state law while assigned to provide medical care and mental health care and services to Arthur Phillips. The conduct of these defendants was intended to harm Mr. Phillips and/or was recklessly and deliberately indifferent to the safety, bodily integrity, well-being and life of Mr. Phillips, and was committed in conscious disregard of the substantial and/or unjustifiable risk of causing harm to Mr. Phillips. This conduct was so egregious as to shock the conscience.

39. The conduct of Barbara Herst, Hannah Jenkins and Dr. John Doe, as set forth above, violated Mr. Phillips' constitutional rights to be free from cruel and unusual punishment, and his rights to due process as guaranteed by the Eighth and Fourteenth Amendments to the United States Constitution, as remediable pursuant to 42 U.S.C. §1983.

COUNT II – FEDERAL CIVIL RIGHTS CLAIMS
Plaintiffs v. Corizon Health, Inc. and MHM Correctional Services, Inc.

40. Plaintiffs incorporate the preceding paragraphs as if the same were set forth herein at length.

41. The violation of Mr. Phillips' constitutional rights, Plaintiffs' damages, and the conduct of the individual defendants were directly and proximately caused by the deliberate

indifference of Corizon and MHM to the need for training, supervision, investigation, monitoring, and/or discipline with respect to the provision of specialist medical care and mental health care and treatment to correctional facility inmates.

42. The violation of Mr. Phillips' constitutional rights, Plaintiffs' damages, and the conduct of individual defendants were directly and proximately caused by Corizon and MHM's encouragement, tolerance, ratification of, and/or deliberate indifference to, policies, practices, and/or customs of refusing, delaying, denying, or otherwise interfering with inmates' necessary treatment by medical specialists and mental health specialists.

REQUESTED RELIEF

43. As a direct and proximate result of the above violations of Arthur Phillips' civil rights, as set forth herein, Mr. Phillips' was caused to suffer the death described above.

44. Plaintiffs bring this action pursuant to the above violations of Decedent's rights and are entitled to recover for damages caused by such violations, through the Estate of Arthur Phillips, including but not limited to, Decedent's pain and suffering, loss of earnings and loss of future earning capacity.

45. Plaintiffs further bring this action pursuant to the above violations of Decedent's rights and are entitled to recover for damages caused by such violations, including but not limited to, expenses of estate administration and the loss of expected pecuniary contributions of the Decedent.

WHEREFORE, Plaintiffs demand judgment against Defendants upon the claims and causes of action stated above, in excess of \$150,000, exclusive of interest and costs, which sum includes, but is not limited to:

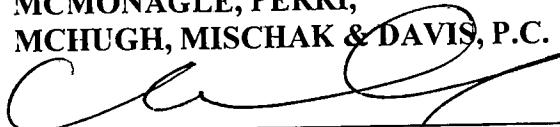
- a. Damages and costs of suit recoverable under 42 U.S.C. §1983; and,

b. All other damages and relief as is deemed necessary and equitable by the Court and/or jury presiding over this case.

Respectfully submitted,

**MCMONAGLE, PERRI,
MCHUGH, MISCHAK & DAVIS, P.C.**

By:


WILLIAM M. DAVIS, ESQUIRE
Attorney for Plaintiffs

Dated: August 19, 2019

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

THE ESTATE OF ARTHUR PHILLIPS, :	:	
PHYLLIS PHILLIPS	:	
vs.	:	
	:	
CORIZON HEALTH, INC.	:	JURY TRIAL DEMANDED
105 Westpark Drive	:	
Brentwood, Tennessee 37027	:	
and	:	
MHM CORRECTIONAL SERVICES, INC.	:	
1593 Spring Hill Road, Suite 600	:	
Vienna, Virginia 22182	:	
and	:	
BARBARA HERST, RN	:	
c/o MHM CORRECTIONAL	:	
SERVICES, INC.	:	
1593 Spring Hill Road, Suite 600	:	
Vienna, Virginia 22182	:	
and c/o CORIZON HEALTH, INC.	:	
105 Westpark Drive	:	
Brentwood, Tennessee 37027	:	
and	:	
HANNAH JENKINS	:	
c/o MHM CORRECTIONAL	:	
SERVICES, INC.	:	
1593 Spring Hill Road, Suite 600	:	
Vienna, Virginia 22182	:	
and c/o CORIZON HEALTH, INC.	:	
105 Westpark Drive	:	
Brentwood, Tennessee 37027	:	
and	:	
DR. JOHN DOE, MD	:	
Who treated or was responsible for	:	
Treating Arthur Phillips and whose	:	
Identity is known to defendants but	:	
Not to plaintiffs after reasonable	:	
Investigation and in the absence of	:	
Disclosures and discovery	:	
c/o MHM CORRECTIONAL	:	
SERVICES, INC.	:	

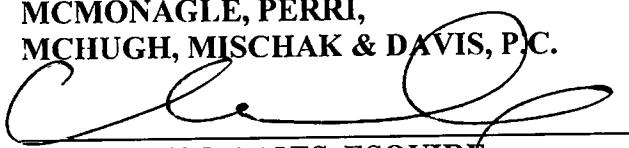
1593 Spring Hill Road, Suite 600 :
Vienna, Virginia 22182 :
and c/o CORIZON HEALTH, INC. :
105 Westpark Drive :
Brentwood, Tennessee 37027 :

CERTIFICATE OF SERVICE

I, William M. Davis, Esquire, hereby certify that a true and correct copy of the instant Complaint – Civil Action was served on the following via UNITED STATES MAIL, which satisfies the requirements of Federal Rule of Civil Procedure 5.

CORIZON HEALTH, INC.
105 Westpark Drive
Brentwood, Tennessee 37027
and
MHM CORRECTIONAL SERVICES, INC.
1593 Spring Hill Road, Suite 600
Vienna, Virginia 22182
and
BARBARA HERST, RN
c/o MHM CORRECTIONAL
SERVICES, INC.
1593 Spring Hill Road, Suite 600
Vienna, Virginia 22182
and c/o **CORIZON HEALTH, INC.**
105 Westpark Drive
Brentwood, Tennessee 37027
and
HANNAH JENKINS
c/o MHM CORRECTIONAL
SERVICES, INC.
1593 Spring Hill Road, Suite 600
Vienna, Virginia 22182
and c/o **CORIZON HEALTH, INC.**
105 Westpark Drive
Brentwood, Tennessee 37027
and
DR. JOHN DOE, MD
Who treated or was responsible for
Treating Arthur Phillips and whose
Identity is known to defendants but
Not to plaintiffs after reasonable
Investigation and in the absence of
Disclosures and discovery

c/o MHM CORRECTIONAL
SERVICES, INC.
1593 Spring Hill Road, Suite 600
Vienna, Virginia 22182
and c/o CORIZON HEALTH, INC.
105 Westpark Drive
Brentwood, Tennessee 37027

MCMONAGLE, PERRI,
MCHUGH, MISCHAK & DAVIS, P.C.
By: 
WILLIAM M. DAVIS, ESQUIRE
Attorney for Plaintiffs
Attorney I.D. No. 93102
1845 Walnut St., 19th Floor
Philadelphia, PA 19103
wdavis@mpmpc.com

Dated: August 19, 2019

HB III

CIVIL COVER SHEET

19-CV-3822

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

(b) County of Residence of First Listed Plaintiff
(EXCEPT IN U.S. PLAINTIFF CASES)

Pennslyvania

DEFENDANTS

19

3822

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

NOTE IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED

Attorneys (If Known)

(c) Attorneys (Firm Name, Address, and Telephone Number)
William M. Davis, Esq.; *Memorandum*, Perri P.C.
1845 Walnut St., 19th Floor, Philadelphia, PA 19103
215-921-0989

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

1 U.S. Government Plaintiff

3 Federal Question
(U.S. Government Not a Party)

2 U.S. Government Defendant

4 Diversity
(Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

Citizen of This State	<input checked="" type="checkbox"/> PTF	<input type="checkbox"/> DEF	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> PTF	<input checked="" type="checkbox"/> DEF
Citizen of Another State	<input type="checkbox"/> PTF	<input checked="" type="checkbox"/> DEF	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> PTF	<input type="checkbox"/> DEF
Citizen or Subject of a Foreign Country	<input type="checkbox"/> PTF	<input type="checkbox"/> DEF	Foreign Nation	<input type="checkbox"/> PTF	<input type="checkbox"/> DEF

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> PERSONAL INJURY	<input type="checkbox"/> PERSONAL INJURY	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 375 False Claims Act
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 365 Personal Injury - Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 376 Qui Tam (31 USC 3729(a))
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	PROPERTY RIGHTS	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 330 Federal Employers' Liability	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 820 Copyrights	<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 340 Marine Product Liability	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 830 Patent	<input type="checkbox"/> 450 Commerce
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans)	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 835 Patent - Abbreviated New Drug Application	<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 390 Other Fraud		<input type="checkbox"/> 480 Consumer Credit
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 391 Employee Retirement Income Security Act		<input type="checkbox"/> 490 Cable/Sat TV
<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 392 Other Labor Litigation	SOCIAL SECURITY	<input type="checkbox"/> 850 Securities/Commodities/ Exchange
<input type="checkbox"/> 196 Franchise		<input type="checkbox"/> 393 Employee Benefits	<input type="checkbox"/> 861 HIA (1395ff)	<input type="checkbox"/> 890 Other Statutory Actions
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	<input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 891 Agricultural Acts
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 394 Social Security Act	<input type="checkbox"/> 863 DIWC/DIWV (405(g))	<input type="checkbox"/> 893 Environmental Matters
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 395 Family and Medical Leave Act	<input type="checkbox"/> 864 SSID Title XVI	<input type="checkbox"/> 895 Freedom of Information Act
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 396 Other Labor Litigation	<input type="checkbox"/> 865 RSI (405(g))	
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 443 Housing/ Accommodations	<input type="checkbox"/> 710 Fair Labor Standards Act	FEDERAL TAX SUITS	
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 445 Amer w/Disabilities - Employment	<input type="checkbox"/> 720 Labor/Management Relations	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)	
<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 446 Amer w/Disabilities - Other	<input type="checkbox"/> 740 Railway Labor Act	<input type="checkbox"/> 871 IRS - Third Party 26 USC 7609	
	<input type="checkbox"/> 448 Education	<input type="checkbox"/> 751 Family and Medical Leave Act		
		<input type="checkbox"/> 790 Other Labor Litigation		
		<input type="checkbox"/> 791 Employee Retirement Income Security Act		
		<input type="checkbox"/> 792 Other Personal Property Damage		
		<input type="checkbox"/> 793 Employee Benefits		
		<input type="checkbox"/> 794 Social Security Act		
		<input type="checkbox"/> 795 Family and Medical Leave Act		
		<input type="checkbox"/> 796 Other Labor Litigation		
		<input type="checkbox"/> 797 Employee Retirement Income Security Act		
		<input type="checkbox"/> 798 Other Personal Property Damage		
		<input type="checkbox"/> 799 Employee Benefits		
		<input type="checkbox"/> 800 Social Security Act		
		<input type="checkbox"/> 801 Family and Medical Leave Act		
		<input type="checkbox"/> 802 Other Labor Litigation		
		<input type="checkbox"/> 803 Employee Retirement Income Security Act		
		<input type="checkbox"/> 804 Other Personal Property Damage		
		<input type="checkbox"/> 805 Employee Benefits		
		<input type="checkbox"/> 806 Social Security Act		
		<input type="checkbox"/> 807 Family and Medical Leave Act		
		<input type="checkbox"/> 808 Other Labor Litigation		
		<input type="checkbox"/> 809 Employee Retirement Income Security Act		
		<input type="checkbox"/> 810 Other Personal Property Damage		
		<input type="checkbox"/> 811 Employee Benefits		
		<input type="checkbox"/> 812 Social Security Act		
		<input type="checkbox"/> 813 Family and Medical Leave Act		
		<input type="checkbox"/> 814 Other Labor Litigation		
		<input type="checkbox"/> 815 Employee Retirement Income Security Act		
		<input type="checkbox"/> 816 Other Personal Property Damage		
		<input type="checkbox"/> 817 Employee Benefits		
		<input type="checkbox"/> 818 Social Security Act		
		<input type="checkbox"/> 819 Family and Medical Leave Act		
		<input type="checkbox"/> 820 Other Labor Litigation		
		<input type="checkbox"/> 821 Employee Retirement Income Security Act		
		<input type="checkbox"/> 822 Other Personal Property Damage		
		<input type="checkbox"/> 823 Employee Benefits		
		<input type="checkbox"/> 824 Social Security Act		
		<input type="checkbox"/> 825 Family and Medical Leave Act		
		<input type="checkbox"/> 826 Other Labor Litigation		
		<input type="checkbox"/> 827 Employee Retirement Income Security Act		
		<input type="checkbox"/> 828 Other Personal Property Damage		
		<input type="checkbox"/> 829 Employee Benefits		
		<input type="checkbox"/> 830 Social Security Act		
		<input type="checkbox"/> 831 Family and Medical Leave Act		
		<input type="checkbox"/> 832 Other Labor Litigation		
		<input type="checkbox"/> 833 Employee Retirement Income Security Act		
		<input type="checkbox"/> 834 Other Personal Property Damage		
		<input type="checkbox"/> 835 Employee Benefits		
		<input type="checkbox"/> 836 Social Security Act		
		<input type="checkbox"/> 837 Family and Medical Leave Act		
		<input type="checkbox"/> 838 Other Labor Litigation		
		<input type="checkbox"/> 839 Employee Retirement Income Security Act		
		<input type="checkbox"/> 840 Other Personal Property Damage		
		<input type="checkbox"/> 841 Employee Benefits		
		<input type="checkbox"/> 842 Social Security Act		
		<input type="checkbox"/> 843 Family and Medical Leave Act		
		<input type="checkbox"/> 844 Other Labor Litigation		
		<input type="checkbox"/> 845 Employee Retirement Income Security Act		
		<input type="checkbox"/> 846 Other Personal Property Damage		
		<input type="checkbox"/> 847 Employee Benefits		
		<input type="checkbox"/> 848 Social Security Act		
		<input type="checkbox"/> 849 Family and Medical Leave Act		
		<input type="checkbox"/> 850 Other Labor Litigation		
		<input type="checkbox"/> 851 Employee Retirement Income Security Act		
		<input type="checkbox"/> 852 Other Personal Property Damage		
		<input type="checkbox"/> 853 Employee Benefits		
		<input type="checkbox"/> 854 Social Security Act		
		<input type="checkbox"/> 855 Family and Medical Leave Act		
		<input type="checkbox"/> 856 Other Labor Litigation		
		<input type="checkbox"/> 857 Employee Retirement Income Security Act		
		<input type="checkbox"/> 858 Other Personal Property Damage		
		<input type="checkbox"/> 859 Employee Benefits		
		<input type="checkbox"/> 860 Social Security Act		
		<input type="checkbox"/> 861 Family and Medical Leave Act		
		<input type="checkbox"/> 862 Other Labor Litigation		
		<input type="checkbox"/> 863 Employee Retirement Income Security Act		
		<input type="checkbox"/> 864 Other Personal Property Damage		
		<input type="checkbox"/> 865 Employee Benefits		
		<input type="checkbox"/> 866 Social Security Act		
		<input type="checkbox"/> 867 Family and Medical Leave Act		
		<input type="checkbox"/> 868 Other Labor Litigation		
		<input type="checkbox"/> 869 Employee Retirement Income Security Act		
		<input type="checkbox"/> 870 Other Personal Property Damage		
		<input type="checkbox"/> 871 Employee Benefits		
		<input type="checkbox"/> 872 Social Security Act		
		<input type="checkbox"/> 873 Family and Medical Leave Act		
		<input type="checkbox"/> 874 Other Labor Litigation		
		<input type="checkbox"/> 875 Employee Retirement Income Security Act		
		<input type="checkbox"/> 876 Other Personal Property Damage		
		<input type="checkbox"/> 877 Employee Benefits		
		<input type="checkbox"/> 878 Social Security Act		
		<input type="checkbox"/> 879 Family and Medical Leave Act		
		<input type="checkbox"/> 880 Other Labor Litigation		
		<input type="checkbox"/> 881 Employee Retirement Income Security Act		
		<input type="checkbox"/> 882 Other Personal Property Damage		
		<input type="checkbox"/> 883 Employee Benefits		
		<input type="checkbox"/> 884 Social Security Act		
		<input type="checkbox"/> 885 Family and Medical Leave Act		
		<input type="checkbox"/> 886 Other Labor Litigation		
		<input type="checkbox"/> 887 Employee Retirement Income Security Act		
		<input type="checkbox"/> 888 Other Personal Property Damage		
		<input type="checkbox"/> 889 Employee Benefits		
		<input type="checkbox"/> 890 Social Security Act		
		<input type="checkbox"/> 891 Family and Medical Leave Act		
		<input type="checkbox"/> 892 Other Labor Litigation		
		<input type="checkbox"/> 893 Employee Retirement Income Security Act		
		<input type="checkbox"/> 894 Other Personal Property Damage		
		<input type="checkbox"/> 895 Employee Benefits		
		<input type="checkbox"/> 896 Social Security Act		
		<input type="checkbox"/> 897 Family and Medical Leave Act		
		<input type="checkbox"/> 898 Other Labor Litigation		
		<input type="checkbox"/> 899 Employee Retirement Income Security Act		
		<input type="checkbox"/> 900 Other Personal Property Damage		
		<input type="checkbox"/> 901 Employee Benefits		
		<input type="checkbox"/> 902 Social Security Act		
		<input type="checkbox"/> 903 Family and Medical Leave Act		
		<input type="checkbox"/> 904 Other Labor Litigation		
		<input type="checkbox"/> 905 Employee Retirement Income Security Act		
		<input type="checkbox"/> 906 Other Personal Property Damage		
		<input type="checkbox"/> 907 Employee Benefits		
		<input type="checkbox"/> 908 Social Security Act		
		<input type="checkbox"/> 909 Family and Medical Leave Act		
		<input type="checkbox"/> 910 Other Labor Litigation		
		<input type="checkbox"/> 911 Employee Retirement Income Security Act		
		<input type="checkbox"/> 912 Other Personal Property Damage		
		<input type="checkbox"/> 913 Employee Benefits		
		<input type="checkbox"/> 914 Social Security Act		
		<input type="checkbox"/> 915 Family and Medical Leave Act		
		<input type="checkbox"/> 916 Other Labor Litigation		
		<input type="checkbox"/> 917 Employee Retirement Income Security Act		
		<input type="checkbox"/> 918 Other Personal Property Damage		
		<input type="checkbox"/> 919 Employee Benefits		
		<input type="checkbox"/> 920 Social Security Act		
		<input type="checkbox"/> 921 Family and Medical Leave Act		
		<input type="checkbox"/> 922 Other Labor Litigation		
		<input type="checkbox"/> 923 Employee Retirement Income Security Act		
		<input type="checkbox"/> 924 Other Personal Property Damage		
		<input type="checkbox"/> 925 Employee Benefits		
		<input type="checkbox"/> 926 Social Security Act		
		<input type="checkbox"/> 927 Family and Medical Leave Act		
		<input type="checkbox"/> 928 Other Labor Litigation		
		<input type="checkbox"/> 929 Employee Retirement Income Security Act		
		<input type="checkbox"/> 930 Other Personal Property Damage		
		<input type="checkbox"/> 931 Employee Benefits		
		<input type="checkbox"/> 932 Social Security Act		
		<input type="checkbox"/> 933 Family and Medical Leave Act		
		<input type="checkbox"/> 934 Other Labor Litigation		
		<input type="checkbox"/> 935 Employee Retirement Income Security Act		
		<input type="checkbox"/> 936 Other Personal Property Damage		
		<input type="checkbox"/> 937 Employee Benefits		
		<input type="checkbox"/> 938 Social Security Act		
		<input type="checkbox"/> 939 Family and Medical Leave Act		
		<input type="checkbox"/> 940 Other Labor Litigation		
		<input type="checkbox"/> 941 Employee Retirement Income Security Act		
		<input type="checkbox"/> 942 Other Personal Property Damage		
		<input type="checkbox"/> 943 Employee Benefits		
		<input type="checkbox"/> 944 Social Security Act		
		<input type="checkbox"/> 945 Family and Medical Leave Act		
		<input type="checkbox"/> 946 Other Labor Litigation		
		<input type="checkbox"/> 947 Employee Retirement Income Security Act		
		<input type="checkbox"/> 948 Other Personal Property Damage		
		<input type="checkbox"/> 949 Employee Benefits		
		<input type="checkbox"/> 950 Social Security Act		
		<input type="checkbox"/> 951 Family and Medical Leave Act		
		<input type="checkbox"/> 952 Other Labor Litigation		
		<input type="checkbox"/> 953 Employee Retirement Income Security Act		
		<input type="checkbox"/> 954 Other Personal Property Damage		
		<input type="checkbox"/> 955 Employee Benefits		
		<input type="checkbox"/> 956 Social Security Act		
		<input type="checkbox"/> 957 Family and Medical Leave Act		
		<input type="checkbox"/> 958 Other Labor Litigation		
		<input type="checkbox"/> 959 Employee Retirement Income Security Act		
		<input type="checkbox"/> 960 Other Personal Property Damage		
		<input type="checkbox"/> 961 Employee Benefits		
		<input type="checkbox"/> 962 Social Security Act		
		<input type="checkbox"/> 963 Family and Medical Leave Act		
		<input type="checkbox"/> 964 Other Labor Litigation		
		<input type="checkbox"/> 965 Employee Retirement Income Security Act		
		<input type="checkbox"/> 966 Other Personal Property Damage		
		<input type="checkbox"/> 967 Employee Benefits		
		<input type="checkbox"/> 968 Social Security Act		
		<input type="checkbox"/> 969 Family and Medical Leave Act		
		<input type="checkbox"/> 970 Other Labor Litigation		
		<input type="checkbox"/> 971 Employee Retirement Income Security Act		
		<input type="checkbox"/> 972 Other Personal Property Damage		
		<input type="checkbox"/> 973 Employee Benefits		
		<input type="checkbox"/> 974 Social Security Act		
		<input type="checkbox"/> 975 Family and Medical Leave Act		
		<input type="checkbox"/> 976 Other Labor Litigation		
		<input type="checkbox"/> 977 Employee Retirement Income Security Act		
		<input type="checkbox"/> 978 Other Personal Property Damage		
		<input type="checkbox"/> 979 Employee Benefits		
		<input type="checkbox"/> 980 Social Security Act		
		<input type="checkbox"/> 981 Family and Medical Leave Act		
		<input type="checkbox"/> 982 Other Labor Litigation		
		<input type="checkbox"/> 983 Employee Retirement Income Security Act		
		<input type="checkbox"/> 984 Other Personal Property Damage		
		<input type="checkbox"/> 985 Employee Benefits		
		<input type="checkbox"/> 986 Social Security Act		
		<input type="checkbox"/> 987 Family and Medical Leave Act		
		<input type="checkbox"/> 988 Other Labor Litigation		
		<input type="checkbox"/> 989 Employee Retirement Income Security Act		
		<input type="checkbox"/> 990 Other Personal Property Damage		
		<input type="checkbox"/> 991 Employee Benefits		
		<input type="checkbox"/> 992 Social Security Act		
		<input type="checkbox"/> 993 Family and Medical Leave Act		
		<input type="checkbox"/> 994 Other Labor Litigation		
		<input type="checkbox"/> 995 Employee Retirement Income Security Act		
		<input type="checkbox"/> 996 Other Personal Property Damage		
		<input type="checkbox"/> 997 Employee Benefits		
	</td			

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIACASE MANAGEMENT TRACK DESIGNATION FORM

*The Estate of Arthur Phillips
Phyllis Phillips*

v.

Coron Health, Inc et al.

CIVIL ACTION

48 2229

NO.

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

(a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ()

(b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ()

(c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ()

(d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ()

(e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.)

(f) Standard Management – Cases that do not fall into any one of the other tracks.

8/22/19

Date

William M. Davis

Attorney-at-law

26-981-099926-981-0977

Telephone

FAX Number

Phyllis Phillips

Attorney for

wdavis@mpmpc.com

E-Mail Address